

LABOUR DEPARTMENT

The 28th November, 1980

No. 11(112)-80-8 Lab/12189.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s D. K. Steel Rolling Mill, Bahadurgarh.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 96 of 1979.

between

SHRI RADHEY SHAM, WORKMAN AND THE MANAGEMENT OF M/S D.K. STEEL ROLLING MILL, BAHADURGARH

Present.—None from either side

AWARD

This reference No. 96 of 1979 has been referred to this court by the Hon'ble Governor,—vide his order No. 1D/RTK/56-79/17978, dated 1st May, 1979, under section 10(i)(c) of the I.D. Act, 1947, for adjudication of the dispute existing between Shri Radhey Sham, workman and the management of M/s D.K. Steel Rolling Mill, Bahadurgarh. The term of reference was :—

Whether the termination of services of Shri Radhey Sham was justified and in order ? If not, to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties. The parties appeared in response to the same on 20th June, 1979. The workman did not file the statement of claim and prayed that his demand notice be treated as claim statement. The management filed the written statement on 17th August, 1979. The workman filed his rejoinder and issues were framed on 14th November, 1979 and the management was asked to lead their evidence. The management obtained several adjournments for the same and on 13th June, 1980, the management was proceeded against *ex parte* when none of their authorised representative appeared on that date of hearing. The workman obtained one and two adjournments for his *ex parte* evidence. The application of the management for setting aside of the *ex parte* order passed against them on 13th June, 1980, was dismissed on 30th September, 1980, when no one appear on behalf of the management. Again on 17th October, 1980, no one appeared from either side. The workman did not appeared on 22nd August, 1980 also for adducing his *ex parte* evidence. His authorised representative appeared on the previous date of hearing in response to the notice sent to the workman. Under these circumstances the workman does not seem to be interested in pursuing his case. The workman has been allowed enough opportunities for adducing his *ex parte* evidence. There is no justification in giving him further opportunities.

I am inclined to arrive at the conclusion that there is no dispute between the parties as none of them is serious in pursuing their case as is evident from the proceedings recorded on the file. The order of the management for terminating the services of the workman is justified and in order and the workman is not entitled to any relief. I answer the reference while returning the same in these terms. No order as to costs.

BANWARI LAL DALAL

Dated 20th October, 1980.

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endst. No. 2643, dated 1st November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the I.D. Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.